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22 Jan 2006

Re: Application No. 10/031,776 – reply to non-final rejection

Dear Alex P. Rada,

This is a reply to the action which was mailed to me on 12/29/2005.
I believe I have answered below all the rejections in this action, and therefore that the application should be allowed.

(a) Double patenting

(a.1) I am attaching two terminal disclaimers with respect to applications 10/031890 and 10/031942, and a payment for both in a single form pto-2038. I should add that I do this despite the fact that I don't accept the claim that these applications are not patentably distinguishable. The Claims of the different applications do not overlap.

(b) Claim rejections – 35 USC 112

(b.1) I have taken the opportunity to modify Claim 1 quite extensively, though without changing the main innovative parts. The modified Claims page is attached. The modifications are:

- 1) Removing the hardware implementation details, including the concept of "games manager". This is not part of the inventive part of the current application.
- 2) Changing everything to be described in terms of behaviour of the board, without any reference to an external agency.
- 3) Introducing the concept of "current player's colour" before the main description, and referring to it consistently. The "current player's colour" corresponds to the "colour of the player" in the second paragraph of page 2 of the description. It is also referred to as "player's colour" in the first paragraph of page 4, and in the previous version of Claim 1. In paragraph 2 on page 7 it is referred to as "current_player".
- 4) Introduce "fixed number". This is described in the second paragraph on page 2. Also referred to as "minimum 'visibility'"
- 5) refer to the other colour as "the other colour", rather than "the opponent colour".

(c) Claim rejections – 35 USC 103

(c.1) As I wrote in (a.1) in the last supplemental appeal brief, the idea that is expressed in the last two thirds of Claim 1 of the current application (starting with "the board keeps a record of one of the two..." in the amended Claim), is a combination of the following elements:

- (1) Look at distant points beyond unilluminated points, rather than only illuminated neighbours.
- (2) Use the first illuminated point that is encountered to define the value for a direction (1 for player's colour, -1 for the other colour).
- (3) Sum the values in all directions, rather than just checking if any of the directions fulfils some condition.
- (4) Use the result to decide if a move is legal.

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